

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

Jesse Wyngaard, et al.,

Plaintiffs,

Case No. 19-CV-493

v.

MINUTE SHEET

Woodman's Food Market Inc,

Defendant.

Hon. Nancy Joseph, presiding.

Deputy Clerk: Ross M.

Type of Proceeding: MOTION HEARING

Date: June 20, 2024 at 10:30am

Court Reporter: Zoom Audio

Time Commenced: 10:31am

Time Concluded: 11:00am

Appearances: **Plaintiff:** David Potteiger

Defendant: Geoffrey Trotier

Comments:

Matter in Court regarding Plaintiff's Motion for Protective Order (ECF No. 315).

Parties are in dispute as to the number of interrogatories and number of opt-in plaintiffs the interrogatories can be propounded upon. Plaintiffs are requesting the number of opt-in plaintiffs be limited to ten percent of the collective based on case law which would be 72 members. Defendant is requesting propounding upon 200 members stating that it is proportionate to the needs of the case. Parties agree to the number and language of the four interrogatories which the court read into the record. Court states that the ten percent number is a fair guideline that other courts have used as representing a sample size of a collective class. However, given that the interrogatories here are not complex or burdensome, the Court will allow defendants to serve one-hundred Opt-In Plaintiffs. Additionally, the parties discussed and agreed to deadlines for responses.

Court GRANTS IN PART Plaintiff's Motion for Protective Order (ECF No. 315). Defendant to serve four specified interrogatories on ONE HUNDRED Opt-In Plaintiffs. Opt-In Plaintiff answers are due 28 DAYS from today's date. If substitutions are needed, their answer are due 14 DAYS after the initial deadline.

Plaintiffs raised the issue of outstanding discovery. Defendant stated that it has provided most of the requested discovery but will communicate with counsel about any outstanding discovery.

Court ORDERS attorneys to confer as soon as possible on these discovery issues.